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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 CARL DEAN EDWARDS,

10 Petitioner,

11 vs.

12 JAMES COX, et al.,

13 Respondents.  
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Case No. 2:13-cv-01669-JAD-GWF

**O R D E R**

15 Petitioner, who is a prisoner in the custody of the Nevada Department of Corrections, has  
16 submitted an application to proceed *in forma pauperis* (Dkt. #1) and a petition for a writ of habeas  
17 corpus pursuant to 28 U.S.C. § 2254 (#1). The court dismisses this action because plaintiff did not  
18 include with his application (#1) a copy of his inmate account statement, as required by 28 U.S.C.  
19 § 1915(a)(2) and Local Rule LSR 1-2. Furthermore, the financial certificate that plaintiff submitted  
20 is not on the court's form and does not provide the information that the court requires. Based upon  
21 review of the file, it does not appear that a dismissal without prejudice would affect materially the  
22 timeliness of a promptly filed new action.<sup>1</sup>

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25 <sup>1</sup>Petitioner alleges that the Nevada Supreme Court decided his direct appeal on July 22,  
26 2013. The federal one-year period of limitation does not start until his judgment of conviction  
27 becomes final. 28 U.S.C. § 2244(d)(1)(A). The judgment does not become final until the Supreme  
28 Court of the United States denies a petition for a writ of certiorari or, if no petition is filed, when the  
time to petition expires. *Jimenez v. Quarterman*, 555 U.S. 113, 119-20 (2009). The time to file a  
petition for a writ of certiorari expires ninety days after the direct-appeal decision, or Monday,  
October 21, 2013. Sup. Ct. R. 13(1). Consequently, the one-year period of limitation has not yet  
started.

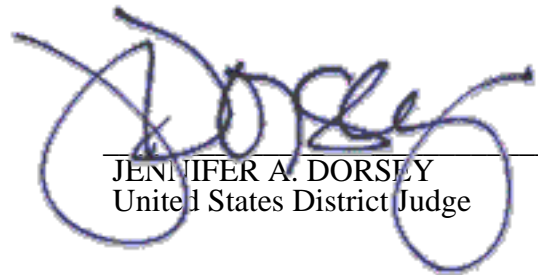
1       **IT IS THEREFORE ORDERED** that the clerk of the court shall send petitioner a blank  
2 form for an application to proceed *in forma pauperis* for incarcerated litigants and a blank § 2254  
3 habeas corpus petition form with instructions.

4       **IT IS FURTHER ORDERED** that this action is **DISMISSED** without prejudice to  
5 petitioner's commencement of a new action in which he either pays the filing fee in full or submits  
6 a complete application to proceed *in forma pauperis*, accompanied by a signed financial certificate  
7 and a statement of his inmate account.

8       The clerk of the court shall enter judgment accordingly.

9       DATED: October 15, 2013.

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JENNIFER A. DORSEY  
United States District Judge